

REMARKS

I. Office Action Summary

In the non-final Office Action dated September 28, 2007, the Examiner presented rejections regarding claims 1-7 and 9-21. The Examiner rejected claims 1-7 and 9-21 as being obvious under 35 U.S.C. §103(a) in view of the following combination of references:

<u>Claims</u>	<u>Prior Art Reference(s)</u>
1-7 and 10-14	Islam et al. (US 2003/0035430 A1) + Vairavan (US 2002/0083344 A1)
9	Islam et al. + Vairavan + Wilson et al. (US 4,292,465)
15	Islam et al. + Webb et al. (US 2002/0120741 A1)
16-21	Vairavan + Webb et al. + Van Horne et al. (US 5,987,430)

Claims 1, 12, 15, and 16 are currently amended. No new matter was added as a result. Support for the amendments can be found in at least paragraphs 17 and 19 of the Applicant's specification. Claim 8 has been previously canceled.

II. Examiner Interview

Applicant's attorneys appreciate the Examiner's courtesy in speaking with them on December 17, 2007, regarding the outstanding office action. The interview included discussion of the objection and rejections made by the Examiner as well as the amendments to the claims that have been made herein. Applicant submits that the comments below reflect the substance of the interview.

III. New Matter Objection

Claim 12 has been objected to because the Examiner asserts new matter was added ("selected port") in the previous amendment. (Office Action, page 2). However, the Applicant respectfully disagrees with the Examiner. Support for a "selected port"

feature can be found in at least paragraphs 17 and 19 of the Applicant's specification. Accordingly, the Applicant kindly requests withdrawal of the objection.

IV. Claim Rejections Under 35 U.S.C. §103(a)

Rejection of claims 1-7 and 10-14 as being obvious under Islam et al. in view of Vairavan.

Claim 1 and Dependents

Claim 1 has been amended to recite, *inter alia*, "wherein applying the content analysis algorithm comprises applying a first content analysis algorithm to a first port of the plurality of ports and applying a second content analysis algorithm to a second port of the plurality of ports, wherein the second content analysis algorithm is different than the first content analysis algorithm." None of the cited references alone or in combination teach or suggest at least this feature.

Paragraph 67, lines 3-7 of Vairavan discloses that a system processor 215 of the inter/intra networking device 110 controls access to ports on the switching fabric 230 by initially configuring the ports as well as establishing security standards that may block certain packets from accessing the inter/intra networking device 110. However, the security standards may be the same for each port. There is no teaching or suggestion of applying a content analysis algorithm to one port and applying a **different** content analysis algorithm to another port.

Accordingly, the combination of Islam et al. and Vairavan does not teach all the features of claim 1. Therefore, claim 1 is allowable for at least this reason. Claims 2-7 and 9-11 depend from allowable claim 1 and, therefore, are allowable for at least this reason.

Claim 12 and Dependents

Claim 12 has been amended to recite, *inter alia*, "transmitting port configuration instructions from the managed service provider network to the switch of the local area network, the port configuration instructions comprising instructions to configure a plurality of ports on a port-to-port basis at the switch to implement at least two content

analysis functions and to cause the switch to scan and apply a first content analysis function to a first selected port of the plurality of ports and scan and apply a second content analysis function to a second selected port of the plurality of ports, wherein the second content analysis function is different than the first content analysis function.” None of the cited references alone or in combination teach or suggest at least these features.

The inter/intra networking device 110 of Vairavan concerns interconnecting multiple networks. Paragraph 67, lines 3-7 of Vairavan discloses that a system processor 215 of the inter/intra networking device 110 controls access to ports on the switching fabric 230 by initially configuring the ports as well as establishing security standards that may block certain packets from accessing the inter/intra networking device 110. However, there is no mention of controlling the ports in a local area network on a port-to-port basis. Vairavan merely discloses configuration of ports, but the ports may be configured all at once in the same way and at the same time. There is no teaching or suggestion of a **port-to-port** configuration or specifying a **selected** port.

Furthermore, there is no teaching or suggestion of the ability to apply a content analysis function to a selected port and apply a **different** content analysis function to another selected port. Vairavan discloses establishing security standards, but the security standards may be the same for each port.

Accordingly, claim 12 is allowable for at least these reasons. Claims 13 and 14 depend from allowable claim 12 and, therefore, are allowable for at least this reason.

Rejection of claim 15 as being obvious under Islam et al. in view of Webb et al.

Claim 15

Claim 15 has been amended to recite, *inter alia*:

“transmitting one of instructions or update information for a content analysis application from the application management appliance to the switch in each of the plurality of subscriber networks, the content analysis application comprising a first content analysis application and a second different content analysis application, wherein the switch in each of the plurality of subscriber networks comprises a plurality of ports;

applying the first content analysis application to a first port of the plurality of ports and applying the second content analysis application to a second port of the plurality of ports, wherein the second content analysis application is different than the first content analysis application; and

receiving performance metrics of the first and second different content analysis applications from each of the plurality of subscriber networks, wherein receiving performance metrics comprises receiving performance metrics for each of the plurality of ports in substantially real time.”

None of the cited references alone or in combination teach or suggest at least these features. Paragraph 67, lines 3-7 of Vairavan discloses that a system processor 215 of the inter/intra networking device 110 controls access to ports on the switching fabric 230 by initially configuring the ports as well as establishing security standards that may block certain packets from accessing the inter/intra networking device 110. However, the security standards may be the same for each port. There is no teaching or suggestion of applying a content analysis application to one port and applying a **different** content analysis application to another port.

Furthermore, the combination of Islam et al. and Webb et al. does not teach or suggest receiving performance metrics for each port in substantially real time. Webb et al. discloses that management and tracking may be performed in real-time in regards to distributed interconnects for information management environments (Webb et al., paragraph 255, lines 13-18), and paragraph 264 of Webb et al. discloses collecting real-time utilization data from all subsystem modules. However, there is no mention of tracking performance metrics for **each** of a plurality of **ports in substantially real time**. Collecting utilization data from subsystem modules is not specific to ports and does not teach or suggest receiving performance metrics for each of a plurality of ports in substantially real time.

Accordingly, claim 15 is allowable for at least these reasons.

Rejection of claims 16-21 as being obvious under Vairavan in view of Webb et al. and in further view of Van Horne et al.

Claim 16 and Dependents

Claim 16 has been amended to recite, *inter alia*, “wherein a first application buffer contains logic for applying a first content analysis algorithm to a first port of the plurality of ports and a second application buffer contains logic for applying a second content analysis algorithm to a second port of the plurality of ports, wherein the second content analysis algorithm is different than the first content analysis algorithm.” Claim 16 also recites, *inter alia*, “wherein the billing server is operable to track charges for content analysis services and bill on a per port basis.”

None of the cited references alone or in combination teach or suggest application buffers in which one application buffer contains logic for applying a content analysis algorithm to a port and another application buffer contains logic for applying a different content analysis algorithm to another port. Paragraph 67, lines 3-7 of Vairavan discloses that a system processor 215 of the inter/intra networking device 110 controls access to ports on the switching fabric 230 by initially configuring the ports as well as establishing security standards that may block certain packets from accessing the inter/intra networking device 110. However, the security standards may be the same for each port. Also, Webb et al. merely discloses a buffer management unit 1032. There is no teaching or suggestion of an application buffer containing logic for applying a content analysis algorithm to one port and another application buffer containing logic for applying a **different** content analysis algorithm to another port.

Furthermore, Vairavan does not mention a billing server. The Examiner argues that it would have been obvious to combine a server that keeps track of billing information of Van Horne et al. with the teachings of Vairavan. (Office Action, page 12). However, there is no motivation of suggestion to combine the references. Van Horne et al. deals with access ports of rooms of hotels, ships, or buildings unlike ports of the intelligent networking device of Vairavan. It would not make sense to combine the server of Van Horne et al. with the ports of Vairavan because of the different functionalities and applications of the references.

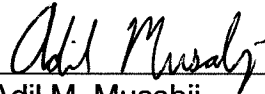
Even if one of ordinary skill in the art would combine the references, the combination does not teach or suggest tracking charges for content analysis services on a per port basis. Van Horne et al. discloses that the server keeps track of whether ports are active, user information, log-in time, and identification information for billing purposes (column 16, lines 57-60), but there is no teaching or suggestion of tracking charges for **content analysis services**.

Accordingly, claim 16 is allowable for at least these reasons. Claims 17-21 depend from allowable claim 16 and, therefore, are allowable for at least this reason.

V. Conclusion

In light of the above amendments and remarks, Applicant submits that all of the pending claims are in condition for allowance. If any questions arise or issues remain, the Examiner is invited to contact the undersigned at the number listed below in order to expedite disposition of this application. Reconsideration and allowance of pending claims 1-7 and 9-21 is respectfully solicited.

Respectfully submitted,



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